



# UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/053,849	01/22/2002	Joseph Convery		5026

7590 07/12/2004  
JOSEPH CONVERY  
621 COLFORD AVE.  
COLLINGSWOOD, NJ 08108

EXAMINER

LIEU, JULIE BICHNGOC

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 07/12/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Notice of Abandonment**

Application No.

10/053.849

Examiner

Julie Lieu

Applicant(s)

CONVERY, JOSEPH

Art Unit

2636

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 07 July 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:



Julie Lieu  
Primary Examiner  
Art Unit: 2636

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

# **COLONIAL TRANSPORT, INC.**

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(856) 854-5800

1-800-992-9295

December 17, 2004

Honorable Commissioner  
Of Patents and Trademarks  
Washington, DC 20231  
Art Unit 2632  
Examiner: Julie Lieu

Dear Ms. Lieu:

When I last spoke to you in July of this year we discussed the attached notice of abandonment.

I also explained that we applied and paid for an extension and you noted it had not been credited.

You then suggested that we apply for another extension because the one in question was far over the limit anyway you and said you would verify our situation if another extension was not granted.

In the mean time Julie, we have traveled to Taiwan on two different occasions in order to perfect this product. So now we are finally answering your suggestion to amend claim No. 3, which is also attached.

Additionally we would appreciate your suggestion regarding the next procedure.

Should we petition to revive under 37CFR1.137 or request to withdraw abandonment under 37CFR1.181?

If allowable please call me on the 800# listed above or e-mail your suggestions to joeconvery@hotmail.com. and I will forward whatever fee is applicable.

Again thank you in advance for your expertise and guidance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joe Convery', with a stylized flourish at the end.

Joseph W. Convery.

JWC:klh

24 LEES AVENUE  
COLLINGSWOOD, NJ 08108

**PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE**

**CERTIFIED MAIL™**

Honorable Commissioner  
Of Patents and Trademarks  
Washington, D.C. 20231

~~JSR 19. Name~~ ~~Julie Lieu~~ Art Unit 2632

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**RESEARCH**

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